

### REMARKS

Claims 1 and 4-18 are pending. By this amendment, claims 1, 5 and 6 are amended for the Examiner's consideration. The amendment made to claims 1, 5 and 6 do not add new matter and is fully supported by the specification. Support for the amendment may be found at least at paragraphs [0021] and [0022]. Applicants respectfully request reconsideration and timely withdrawal of the pending objections and rejections for the reasons discussed below.

Attached hereto is a Request for Continued Examination (RCE), since the amendments made to claims 1, 5 and 6 add new issues that have not yet been considered by the Examiner such as the specific recitation of an n-FET device and p-FET device, and the accompanying overhangs to prevent oxidation induced stress in at least one of a direction parallel to and transverse to a direction of a current flow. These features, in the least, require further search and/or consideration.

Nothing in Jin teaches an overhang that is configured to prevent oxidation induced stresses as recited in the claimed invention. Jin discloses the use of trench isolation regions that can be formed having a reduced susceptibility to edge defects because the periphery of the trench at the face of the substrate is covered by the electrically insulating material (see abstract).

As previously discussed, column 2, lines 10-22 of Jin addresses the problems in area "A" of the prior art device. The column 4, lines 10-13, portion of Jin is directed to a protective layer 102 which is a stress buffer (not related to oxidation). Finally, column 5, lines 10-21, is directed to the mask removal (104B and 102A). None of the specific sections of Jin disclose or even suggest a configuration to prevent oxidation as recited by claims 1 and 5. In this regard, there is no teaching or suggestion to prevent oxidation induced stress in a direction parallel to or

*transverse to a direction of a current flow* for a p-FET or n-FET as recited by claim 1, and other claims. The Jin components are formed to have reduced susceptibility to edge defects because the periphery of the trench at the face of the substrate is covered by the electrically insulating region (column 4, lines 20-24).

Trivedi also does not teach the features of the amended claims.

### CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that all of the claims are patentably distinct from the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue. The Examiner is invited to contact the undersigned at the telephone number listed below, if needed. Applicants hereby make a written conditional petition for extension of time, if required. Please charge any deficiencies in fees and credit any overpayment of fees to **IBM Deposit Account No. 09-0458** (Fishkill).

Respectfully submitted,



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